

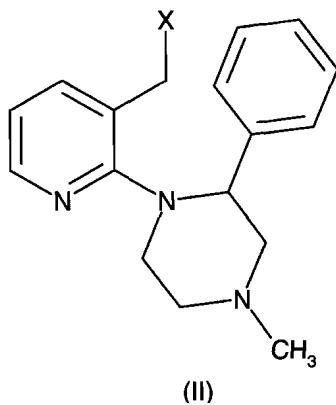
Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims to the application:

1-9 (Cancelled)

10. (Withdrawn)

11. (New) A method for the preparation of an enantiomer of mirtazapine comprising less than 10 % of the other enantiomer, the method comprising a ring closure reaction of a compound of formula (II)



wherein X is a leaving group, the reaction comprising treatment with an acid, wherein the mirtazapine with enantiomeric excess is formed by the ring closure reaction of an R- or S-enantiomer of the compound of formula (II) by treatment with an acid or acid/solvent combination selected from the group consisting of

- a) polyphosphoric acid in the absence of a solvent and wherein the weight ratio between polyphosphoric acid and the compound according to formula II is less than 2.5:1;
- b) polyphosphoric acid in the presence of the solvent N-methylpyrrolidinone or dimethylformamide; and
- c) phosphorus pentoxide in the presence of the solvent N-methylpyrrolidinone and dimethylformamide.

12. (New) The method of claim 11, wherein the enantiomer of mirtazapine is the S-enantiomer of mirtazapine.

13. (New) The method of claim 11, wherein the acid/solvent combination is phosphorus pentoxide in the presence of N-methylpyrrolidinone.